

**ARIZONA STATE PARKS  
NATURAL AREAS PROGRAM ADVISORY COMMITTEE  
(NAPAC)**

**Minutes of the meeting held:**

Thursday, January 15, 2009

at:

**Arizona State Parks, Board Room  
1300 W. Washington St., Phoenix, AZ**

**A. CALL TO ORDER AND ROLL CALL**

Ms. Hernbrode called the meeting to order at 1:20pm, in the absence of the senior member of NAPAC, Sheridan Stone. (Election of officers to follow.) The following people were present, and the Committee achieved a quorum. (Note: the order of the agenda varied, however these minutes reflect the discussion by agenda item.)

Committee Members Present: Sheridan Stone, Chair (*arrived 1:35pm*)  
Phyllis Hughes, Vice-Chair  
Larry Laing  
Theresa Pinto  
Patty West  
Jeff Gawad

Committee Members Absent: Max Castillo, ASP (*ex-officio*)  
John Hays

Other Individuals Present: Jay Ream, Arizona State Park (ASP), Assistant Director, Parks  
Joy Hernbrode, Assistant Attorney General for ASP  
Monique Coady, Assistant Attorney General for ASP  
Dan Shein, ASP  
Joanne Roberts, ASP  
Ruth Shulman, ASP

Guests: None

**B. INTRODUCTION OF MEMBERS AND STAFF**

Members and Staff introduced themselves, and gave some information as part of their introduction. Mr. Stone noted that he works in wildlife biology at Fort Huachuca. Mr. Gawad noted that he works for a private hydrologic firm and is the current president of the Tucson Hydrologic Society. Ms. Hughes noted that she served as Assistant Attorney General from 1985-1995, representing ASP, and then served in the Law Department for the City of Phoenix dealing with environmental issues. Ms. West is a botanist and ethno-botanist working in the Ecological Monitoring and Assessment Program at Northern Arizona University. Ms. Pinto is a watershed and environmental planner for the Maricopa County Flood Control District. Mr. Laing is retired from the National Park Service and the United States Forest Service, where he worked in soil science and environmental mapping. Ms. Roberts is the Resource Ecologist for Arizona State Parks. Ms. Coady asked to be assigned by the Attorney General's office to handle ASP issues. Previous to law school, she worked in the environmental arena. Ms. Hernbrode is the Assistant Attorney General for ASP, however, she will be applying for the position of Executive Director of ASP and will be unable to serve as ASP's attorney. Mr. Shein is the Chief of Resources

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Management for ASP. Mr. Ream is the Assistant Director, Parks Division, for ASP. He said that he will be making an effort to attend more NAPAC meetings this year. He also said that he is working with Chris Byrne of the Trust for Public Land (TPL) on scheduling a field trip for ASP Board members to the Sonoita Creek Ranch Property as requested by the Board in their November 2008 meeting. Mr. Ream states that the budget uncertainty is holding up the site visit. A site visit would be part of an acquisition and Executive Staff is waiting until after February in order to have a better understanding of Parks' funding.

**C. OLD BUSINESS**

1. Approval of NAPAC Minutes for the December 18, 2008 meeting.

Ms. Hughes moved to accept the minutes as presented. Ms. Pinto seconded the motion, which carried with no further discussion.

**D. NEW BUSINESS**

1. NAPAC overview, new member orientation, including Open Meeting Law, Roberts Rules of Order, travel reimbursement procedures, and subcommittee memberships.

Ms. Hernbrode began by discussing the Open Meeting Law. She presented an overview of the reasons for the statute, which is to insure that the business of the people is conducted in the view of the people. She highlighted that all meetings, including subcommittee meetings, are conducted following a previously written and posted agenda. Ms. Hernbrode further clarified that NAPAC is held under the Open Meeting Law because it is a public body providing advice to a State Board. Discussion and action are limited to items on the agenda. Ms. Hernbrode recommended that the committee avoid going off on tangents and to stay focused within discussions, ensuring that committee comments are relevant to the agenda item. Ms. Hernbrode noted that the committee may go into an Executive Session especially for legal advice. All meetings, including subcommittee meetings, also require taking and keeping minutes. Ms. Shulman noted that on advice of counsel, NAPAC subcommittees use an audio file to the public as the final minutes.

Every meeting also requires a quorum, which in the case of NAPAC is five people. Ms. Shulman sends out a quorum call prior to the meeting to ensure that a quorum is set before the meeting occurs. If a quorum, for whatever reason, is not achieved, Ms. Hernbrode recommends that those attending the meeting do nothing, as business cannot be conducted and any discussion will have to be repeated. Achieving a quorum can also occur in "cascading" communications, so Ms. Hernbrode advises members not to communicate directly with each other. The committee may also meet via telephone, provided that all parties are audible to one another directly, without intermediary. Ms. Hernbrode notes that the public has access to all meetings, and do not have to identify themselves if they choose not to. She further states that members of the public can provide comment, at which time they must introduce themselves (it should be noted that an alias is an acceptable identification in this case.) The committee can choose to allow public comment or not. The public may comment on anything it chooses, however the committee may not discuss the comment. (Committee comment is limited to directing Staff to add the item to a future agenda, if applicable.)

Ms. Hernbrode went on to note that eMail presents a unique opportunity to inadvertently violate the Open Meeting Law. She suggested that NAPAC members ignore the "reply all" feature of their eMail system in order to prevent a violation. This applies to individual telephone conversations between individual members as well. Violations of the Open Meeting Law can be fined to a maximum of \$500, which is payable by the individual member in violation.

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Ms. Roberts asked for clarification on editing documents via eMail. Ms. Hernbrode clarified that members are allowed to provide a single edit to Ms. Roberts via eMail. The edits can be added to the document, but the amended document should not be sent back out to the members except as part of the agenda packet for the next meeting as a matter of practicality. Mr. Laing requested clarification on whether or not a field assessment or technical evaluation of properties is considered a sub-committee meeting, and if there must be a posted agenda. Ms. Hernbrode said that it is a meeting and that all procedures are the same as a full committee meeting. She further noted that the minutes are reflected in the evaluation forms.

Ms. Coady asked whether or not, if a member leaves the committee, if the number of members constituting a quorum changes. Ms. Hernbrode said that the quorum does not change. She is preparing an opinion paper on whether or not the non-voting *ex-officio* member counts as part of the quorum. Ms. Coady will present the opinion to NAPAC soon.

Further information on the Open Meeting Law can be obtained at the Attorney General's website at [www.azag.gov](http://www.azag.gov). Ms. Coady's phone number is 602/542-7783.

Ms. Hernbrode also discussed Roberts Rules of Order. She asked Ms. Shulman whether she had some comment on the Rules as they affect advisory committees. Ms. Shulman said that, within advisory committees, the rule that can have the most effect is that only one person at a time has the floor to speak. This means that there should be no side conversations among members. Ms. Hernbrode noted that the purpose of the Rules is to make meetings run smoothly and efficiently. This is embodied especially in the procedure by which a body makes motions. It is important to articulate the motion fully. At this point, if necessary, it can be amended. If the motion is not followed by a second, then that motion is dead. Once a motion has been seconded, it can be discussed, or amended further if necessary. Both the mover and the second must agree to any amendment at this point. Members should vote aye, nay or abstain (especially in the case of a conflict of interest). At adjournment, the Chair can either call for a motion to adjourn or can declare the meeting adjourned if there are no objections. Ms. Hernbrode says that the meeting should end in a clear manner.

Mr. Shein stated that a motion must be clearly defined. The minutes are a historic representation of what took place in the committee meeting, and it is helpful to be clear about the justification for any motion. Mr. Stone stated that that the discussion around a motion is reflected in the minutes, but that motion itself goes to the ASP Board. He continued that the committee's intent and purpose should be captured in the motion, which may lead to management directions and goals on properties that ASP may acquire.

Ms. Hernbrode then discussed the procedure for electing new officers. Officers can be elected singly or as a slate. The first step is to open nominations. A nomination is made and either accepted or not. It is not necessary that a nomination be accompanied by a second. Nominated candidates for office are voted on in order of their nomination. Mr. Stone noted that NAPAC has two officers, who serve a one-calendar-year term.

Ms. Roberts showed the NAPAC introductory PowerPoint presentation for the benefit of the new members (copies available upon request). The presentation provided an overview of NAPAC's function as advisors to the ASP Board, as well as providing scientific

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guidance to the ASP staff about its parks and natural areas, and the statutory and Board-appointed authorizations.

Ms. Hughes mentioned the committee binder given to new members as they are seated on NAPAC. Ms. Shulman noted that the binder has been reorganized and will be distributed as soon as it is complete.

(NAPAC adjourned for a brief break at 2:50 and reconvened at 3:05.)

2. Election of NAPAC Officers for 2009.

Ms. Hughes nominated Sheridan Stone for Chair of NAPAC. Mr. Stone accepted the nomination. Nominations closed with no further nominees. Mr. Stone was elected unanimously following a show of hands. Ms. West nominated Phyllis Hughes for Vice-Chair. Ms. Hughes accepted the nomination. Nominations closed with no further nominees. Ms. Hughes was elected unanimously following a show of hands.

Ms. Hernbrode noted that, for reasons of public transparency and the Open Meeting Law, secret ballots on any election are not allowed. Ms. Shulman said during selection of candidates for committee openings, the discussion sometimes takes place with the candidates attending. This sometimes leads to requests for a secret ballot, which is understandable, but not allowed. Mr. Stone asked whether the public can be asked to leave while voting takes place. Ms. Hernbrode said no.

3. Set meeting schedule and develop NAPAC goals for 2009.

Following discussion of day-of-the-week preferences and availabilities, the committee decided to continue meeting on the fourth Thursday of every month, at 1:00pm. Meeting locations will alternate between northern and southern areas of the state as much as possible.

The next full meeting of NAPAC will take place at the Rockin' River Ranch (RRR) near Camp Verde. Ms. Roberts stated that Dr. Ken Kingsley, Resource, Inventory and Monitoring (RIM) Volunteer for ASP has accepted a project agreement to conduct a biological evaluation of the RRR property and to draft a document that provides alternative management strategies that incorporate the mission of Verde River Greenway State Natural Area (VRGSNA), guiding principles of park classifications, and the Natural Area Management Guidelines (in preparation). Mr. Castillo, VRGSNA Manager, extended the invitation to NAPAC to meet at the RRR property while the RIM volunteer is available to provide an overview of the project and preliminary potential management strategies. Mr. Castillo and Ms. Roberts also felt that a field tour of the property would be valuable and extended the invitation to conduct a two-day session. Further discussion on the RRR lodge and amenities followed.

The location for the March meeting will be determined, but will likely be somewhere in southeastern Arizona (Tucson) to balance the north-central meeting in February. Meetings in November and December will be scheduled for November 19 and December 17 respectively, to adjust the schedule for the holiday season. There may be no need for a meeting in December however the date is set aside as a precaution. It was noted that for the past three years, a December telephone meeting took place.

Subcommittee meetings, it was noted, are held on alternate months opposite the full committee, as necessary. On occasion the subcommittee(s) can meet on the same day as the

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full committee, in the morning. If the work of one or both of the existing subcommittees is concluded during this year, there are other tasks around which other subcommittees could be formed. Ms. Roberts said that two issues remain: A management plan for San Rafael State Natural Area, and another which will be discussed at the next meeting.

Chair Stone noted that with the state budget crisis, evaluating and acquiring new properties might be “light” this year. The work of subcommittees could then become the priority for NAPAC. Chair Stone introduces the two active sub-committees stating their general charges and focus. He further state that people should consider how they will be involved with the subcommittees.

Chair Stone said that the discussion of goals should be tabled until the next meeting.

**E. SUBCOMMITTEE REPORTS**

1. Natural Areas Management Guidelines (NAMG) subcommittee: Update on the status of the guidelines, next steps, and feedback.

Ms. Roberts said that the purpose of the NAMG subcommittee is to develop and provide management guidelines for existing state natural areas and natural areas within state parks. The last meeting of this subcommittee was in late August of 2008, and there are hopes that the guidelines will be completed this year. Ms. Roberts said that at the moment, the draft guidelines are proving useful to the individual parks/operating units. She feels that fresh expertise and eyes will help complete the development of the guidelines. She noted finally that the next iteration of the guidelines must be presented to NAPAC, who will then present them to the ASP Board with a recommendation for adoption.

2. Land Acquisition, Selection and Prioritization Subcommittee: Update and report including status of the Scorecard, next steps and feedback

Ms. Hughes said that the intent of this subcommittee is to provide a method of evaluating the prioritizing properties for acquisition within the statutory limits and the charge to NAPAC from the ASP Board. The current site evaluation process is comprehensive, but this subcommittee is developing a method of prioritizing evaluated sites for acquisition. The prioritization tool began by researching and adapting a tool provided by the Commonwealth of Virginia. Once the Scorecard is complete, the next step is to develop a more speedy process for acquisition steps.

Ms. Roberts noted that former members of NAPAC Don Young and Trevor Hare would continue with the various subcommittees as outside consultants to continue the work. Ms. Hughes urged the new members to consider subcommittee membership.

Ms. Roberts asked Chair Stone about his recent meetings with several of the Natural Areas parties in the Commonwealth of Virginia during his visit there in December. He said he had a good meeting and received several documents from them, which he will share at a later date. He did say that the group’s advice on the main question from NAPAC (whether imminent development made acquisition of a particular property a higher priority or a lower priority) was not a simple answer. The Virginia group evaluates sites rather than individual parcels, whereas NAPAC evaluates parcels. Virginia gave an example where the ability to manage the property properly would be compromised by the development, and therefore becomes a lower priority for acquisition. Ms. Hughes discussed how the Virginia document was adapted into the pending Scorecard for NAPAC; which criteria became important to Arizona and which did not.

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**F. PUBLIC COMMENT**

None.

**G. BOARD COMMENTS, REQUESTS, AND ITEMS FOR FUTURE AGENDAS**

Conflict of Interest discussion, travel reimbursement procedures, subcommittee memberships, goals, acquisition list of properties from Executive Staff to discuss with NAPAC (Jay Ream).

**H. TIME AND PLACE OF FUTURE MEETINGS**

Thursday, February 26 & 27, 2009 at the Rockin' River Ranch near Camp Verde.

**I. ADJOURNMENT**

Chair Stone adjourned the meeting at 4:10pm.

Prepared by Ruth Shulman on January 20-21, 2009, and reviewed by Joanne M. Roberts, Arizona State Parks NAPAC Coordinator on January 26, 2009.

APPROVED BY A UNANIMOUS VOTE OF THE NATURAL AREAS PROGRAM  
ADVISORY COMMITTEE ON FEBRUARY 26, 2009.

Affirmed by:

/s/ Sheridan Stone  
Sheridan Stone, Chair

Date: February 26, 2009